

Exhibit C

(Complaint)

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

JOLINDA HOWARD,

Plaintiff,

Vs.

TARGET CORPORATION,
a foreign corporation,

Defendant.

Filed 11-13-12
ADELL CHANDLER, CIRCUIT CLERK
By [Signature] Deputy

CIVIL ACTION NO. 12-C-382
JUDGE: for DAYTON

COMPLAINT

Now comes the plaintiff, by counsel, and for her Complaint, states as follows:

1. At all times relevant herein, plaintiff Jolinda Howard was and is a resident and citizen of Ashland, Boyd County, Kentucky.

2. Defendant Target Corporation (hereinafter "Target"), is a foreign corporation licensed to and actually doing business in the State of West Virginia and, more particularly, in Barboursville, Cabell County, West Virginia. At all times relevant herein, defendant owned and operated a retail store located in or near Barboursville, Cabell County, West Virginia, said retail store being engaged in the sale of groceries, clothing, etc., to the public in general.

2. At all times relevant herein, defendant had a legal duty to keep and maintain its business premises in a reasonably safe condition for its business invitees, including the plaintiff herein, by inspection, effective warnings and other

CYRUS & ADKINS
ATTORNEYS AND
COUNSELORS AT LAW
636 Fourth Avenue
P. O. Box 2144
Huntington, W. Va. 25722-2144

affirmative acts, from the danger of reasonably foreseeable injuries occurring from the expected use of the business premises by said business invitees.

3. In breach of the foregoing duties, defendant, by and through its employees, agents and/or servants negligently failed to inspect and/or maintain the floor of said premises in such a manner so as to constitute a dangerous and unsafe condition for the customary use of its business invitees, including the plaintiff herein. Additionally, defendant failed to warn its business invitees, including the plaintiff herein, of said dangerous and unsafe conditions, including, but not limited to, water and/or other liquids on the floor, the existence of which said defendant, by and through its agents, servants, and/or employees, knew or should have known.

4. On or about 14 June 2010, plaintiff was a customer and business invitee of defendant. As a proximate result of the negligence of the defendant as aforesaid, plaintiff slipped and fell on the business premises of defendant.

5. As a direct and proximate result of the negligence of the defendant, plaintiff sustained injuries of a severe and permanent nature to her body in general, and, more particularly, to her right leg. As a further result of said injuries, plaintiff has incurred reasonable medical expenses and will continue to incur reasonable medical expenses in the future. As a further result of said injuries, plaintiff has suffered and will continue to suffer great pain of body and mind, her future enjoyment of life has been and will be permanently impaired, and she has incurred and will continue to incur great mental anguish.

WHEREFORE, plaintiff demands judgment as follows;


1. Against the defendant for an amount of money, in excess of the minimum jurisdictional limits of this Court, which will fairly compensate her for each element of damages recoverable by her against the said defendant, together with prejudgment and post-judgment interest, costs and attorney fees as provided by law; and

2. For such other relief as may be deemed appropriate and just.

PLAINTIFF DEMANDS A TRIAL BY JURY.

JOLINDA HOWARD, Plaintiff

By Counsel



JOHN F. CYRUS, WVSb #915
CYRUS & ADKINS
636 Fourth Avenue
Post Office Box 2144
Huntington, West Virginia 25722-2144
(304) 522-9593
Counsel for Plaintiff